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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT SEATTLE

8                   JENNIFER SANCHEZ,

9                   Plaintiff,

10                  v.

11                  KEVIN K. McALEENAN, Acting  
12                  Secretary, United States Department of  
13                  Homeland Security, Immigration and  
14                  Customs Enforcement,<sup>1</sup>

15                  Defendant.

16                  C17-1353 TSZ

17                  MINUTE ORDER

18                  The following Minute Order is made by direction of the Court, the Honorable  
19                  Thomas S. Zilly, United States District Judge:

20                  (1) Plaintiff's motion in limine, docket no. 74, is GRANTED in part, DENIED  
21                  in part, and DEFERRED in part as follows:

- 22                  1. Motion to exclude evidence not disclosed prior to close of discovery  
23                  is DEFERRED and the parties should be prepared to identify any  
24                  such evidence at the Pretrial Conference;
- 25                  2. Motion to exclude evidence of discipline imposed against  
26                  Immigration and Customs Enforcement ("ICE") agents after plaintiff  
27                  initiated this lawsuit is DEFERRED to the Pretrial Conference;

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30                  <sup>1</sup> The Clerk is DIRECTED to correct the docket to reflect the correct spelling of the Acting  
31                  Secretary's last name.

- 1           3. Motion to exclude reference to related administrative decisions  
2           including those made by the Merit Systems Protection Board and/or  
the Equal Employment Opportunity Commission is GRANTED;
- 3           4. Motion to exclude evidence related to any driving under the  
influence (“DUI”) allegations and/or DUI-related charges against  
plaintiff prior to March 18, 2014, is DENIED;
- 4           5. Motion to exclude untimely disclosed expert opinions of William  
Partin contained in his supplemental report is DENIED; motion to  
exclude testimony beyond the scope of the individual’s expertise is  
DEFERRED to trial;
- 5           6. Stipulated motion to exclude the testimony of Melissa Tillett, any  
reference to statements made by Tillett, and any documents  
produced by or obtained from Tillett is GRANTED;
- 6           7. Stipulated motion to exclude the testimony of Yakima Police  
Officer Ryan Urlacher is DEFERRED to the Pretrial Conference;
- 7           8. Stipulated motion to limit evidence concerning plaintiff’s prior  
termination and related lawsuit is DEFERRED to the Pretrial  
Conference; and
- 8           9. Stipulated motion to exclude any witness not disclosed in discovery  
is GRANTED.

9           (2) Defendant’s motion in limine, docket no. 72, is DENIED in part and  
10          DEFERRED in part as follows:

- 11           A. Motion to exclude unfavorable evidence regarding Yakima Police  
Officer Ryan Urlacher is DENIED;
- 12           B. Motion to exclude the expert report and testimony of Thomas  
Missell is DENIED;
- 13           C. Motion to exclude testimony in support of plaintiff’s character is  
DENIED;
- 14           D. Motion to exclude allegations about other employees that are  
cumulative or lack foundation is DEFERRED to the Pretrial  
Conference;
- 15           E. Motion to exclude irrelevant testimony about alleged comparators is  
DEFERRED to the Pretrial Conference; at the Pretrial Conference,

1 plaintiff shall produce proposed exhibits 129 and 130 for the Court's  
2 review; and

3 F. Motion to exclude evidence regarding discrete employment actions  
4 against plaintiff by other decision makers is DEFERRED to the  
5 Pretrial Conference.

6 (3) Defendant's motion to excuse potential jurors from viewing "unconscious  
7 bias" video, docket no. 73, is DEFERRED to the Pretrial Conference.

8 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of  
9 record.

10 Dated this 11th day of September, 2019.

11 William M. McCool  
12 Clerk

13 s/Karen Dews  
14 Deputy Clerk